



BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

OFFICE USE ONLY

Application Number: # 13310-00000-08509
Date Received: 15 JULY 2013
Commission/Civic: ITALIAN VILL.
Existing Zoning: M Application Accepted by: JS Fee: \$1908-
Comments: 9/24/13

TYPE(S) OF ACTION REQUESTED (Check all that apply)

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections.

Variance from Columbus Code Section 3312.49C (Table 3) to permit 33 onsite parking space

274 - 33 = 241 to 0 additional

LOCATION

1. Certified Address Number and Street Name 345 East Second Avenue
City Columbus State Ohio Zip 43201
Parcel Number (only one required) 010-277009-80;

APPLICANT: (IF DIFFERENT FROM OWNER)

Name John A. Rothschild, Jr., Court Appointed Receiver
Address 150 E. Broad Street, Suite 310 City/State Columbus, OH Zip 43215
Phone # 614-883-1076 Fax # 614-358-8219 Email jrothschild@continental-realty.com

PROPERTY OWNER(S):

Name Anchor Government Properties III, Ltd. c/o John A. Rothschild, Jr., Receiver
Address 150 E. Broad Street, Ste. 310 City/State Columbus, OH Zip 43215
Phone # 614-883-1076 Fax # 614-358-8219 Email jrothschild@continental-realty.com
☐ Check here if listing additional property owners on a separate page.

ATTORNEY / AGENT (CHECK ONE IF APPLICABLE)

☒ Attorney ☐ Agent

Name Brent D. Rosenthal
Address 366 East Broad Street City/State Columbus, OH Zip 43215
Phone # 614-628-0772 Fax # 614-221-0216 Email: broseenthal@cpmlaw.com

SIGNATURES (ALL SIGNATURES MUST BE PROVIDED AND SIGNED IN BLUE INK)

APPLICANT SIGNATURE [Signature] Receiver
PROPERTY OWNER SIGNATURE [Signature] Receiver
ATTORNEY / AGENT SIGNATURE [Signature]

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make all checks payable to the Columbus City Treasurer

PAID

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1900
BUILDING & ZONING SERVICES



BOARD OF ZONING ADJUSTMENT APPLICATION

City of Columbus, Ohio • Department of Building & Zoning Services
757 Carolyn Avenue, Columbus, Ohio 43224 • Phone: 614-645-7433 • www.columbus.gov

AFFIDAVIT

13310-00509

345 E. 2nd Ave.

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (1) NAME Brent D. Rosenthal
of (1) MAILING ADDRESS 366 East Broad Street, Columbus, OH 43215
deposed and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the
name(s) and mailing address(es) of all the owners of record of the property located at
(2) per ADDRESS CARD FOR PROPERTY
for which the application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building
and Zoning Services, on (3) _____

(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS

(4) Anchor Government Properties III, Ltd.
c/o John Rothschild, Jr., Court Appointed Receiver
150 East Broad Street, Ste. 310
Columbus, OH 43215

APPLICANT'S NAME AND PHONE #
(same as listed on front of application)

John A. Rothschild, Jr. Court Appointed Receiver
(614) 883-1076

AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR OR
CONTACT PERSON AND ADDRESS

(5) Italian Village Commission

and that the following is a list of the names and complete mailing addresses, including zip codes, as shown on the County Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125 feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125 feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject property:

(6) PROPERTY OWNER(S) NAME (6A) ADDRESS OF PROPERTY (6B) PROPERTY OWNER(S) MAILING ADDRESS
See Exhibit A attached hereto

☒ (7) Check here if listing additional property owners on a separate page.

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 15th day of July, in the year 2013

SIGNATURE OF NOTARY PUBLIC

(8) Donna D. Peart

My Commission Expires:



DONNA D. PEART
Notary Public, State of Ohio
My Commission Expires 8/1/2014

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APPLICANT

JOHN A. ROTHSCHILD, JR.
COURT APPOINTED RECEIVER
150 E. BROAD STREET
SUITE 310
COLUMBUS, OH 43215

PROPERTY OWNER

ANCHOR GOVERNMENT
PROPERTIES III LLC
8 E LONG STREET
THIRD FLOOR
COLUMBUS OH 43215

ANCHOR GOVERNMENT
PROPERTIES III LLC
150 E. BROAD STREET
SUITE 310
COLUMBUS OH 43215

ATTORNEY

BRENT D. ROSENTHAL
CARLILE PATCHEN & MURPHY LLP
366 E BROAD STREET
COLUMBUS OH 43215

AREA COMMISSION OR
NEIGHBORHOOD GROUP

REX HAGERLING IVC CHAIR
HISTORIC PRESERVATION OFFICE
109 N FRONT STREET
GROUND FLOOR
COLUMBUS OH 43215

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345 E. 2nd Ave.

SURROUNDING PROPERTY
OWNERS

ANCHOR GOVERNMENT
PROPERTIES III LTD
8 E LONG ST
3RD FL
COLUMBUS OH 43215

ANCHOR GOVERNMENT
PROPERTIES III LLC
150 E BROAD ST
STE 310
COLUMBUS OH 43215

THE CLARK GRAVE VAULT CO
375 E 5TH AVE
PO BOX 8250
COLUMBUS OH 43201

ANCHOR GOVERNMENT
PROPERTIES III LLC
150 E BROAD ST
STE 310
COLUMBUS OH 43215

CITY OF COLUMBUS
109 N FRONT ST
COLUMBUS OH 43215-9000

FK III LIMITED PARTNERSHIP
FRED MALOOF
2362 N HIGH ST
COLUMBUS OH 43202

ANCHOR GOVERNMENT
PROPERTIES I LLC
7760 OLENTANGY RVR RD 112
COLUMBUS OH 43235

CITY OF COLUMBUS
REAL ESTATE MANAGEMENT
90 W BROAD ST RM 425
COLUMBUS OH 43215

JANA HOLDINGS LLC
2455 LONDBERRY BLVD
CARMEL IN 46032





JEFFREY NEW DAY LLC
575 W 1ST AVE STE 100
COLUMBUS OH 43215

WAGENBRENNER REALTY
AKA ROYAL TALLOW HOLDINGS
575 W 1ST AVE STE 100
COLUMBUS OH 43215

MYFLORI LLC
1264 S HIGH ST
COLUMBUS OH 43206

JASON BLUE SMITH
LINDSAY BLUE SMITH
916 HOPE FERRY RD
LEXINGTON SC 29072

NEW YORK CENTRAL LINES LLC
500 WATER ST (C910)
JACKSONVILLE FL 32202

NEW YORK CENTRAL LINES
TAX DEPT
500 WATER ST (J-910)
JACKSONVILLE FL 32202

PENNSYLVANIA LINES LLC
110 FRANKLIN RD SE
ROANOKE VA 24042-0028

NORFOLK SOUTHERN RAILWAY
TAX DEPARTMENT
110 FRANKLIN RD SE
ROANOKE VA 24042

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345 E. 2nd Ave.



CITY OF COLUMBUS

DEPARTMENT OF BUILDING AND ZONING SERVICES

13310-00509

345 E. 2nd Ave.

One Stop Shop Zoning Report Date: Mon Jul 22 2013

General Zoning Inquiries: 614-645-8637

SITE INFORMATION

Address: 345 E 2ND AVE COLUMBUS, OH

Mailing Address: 150 E BROAD ST STE 310
150 E BROAD ST STE 310

Owner: ANCHOR GOVERNMENT PROPERTIES

Parcel Number: 010277009

ZONING INFORMATION

Zoning: ORIG, Manufacturing, M

effective 2/27/1928, Height District H-60

Board of Zoning Adjustment (BZA): N/A

Commercial Overlay: N/A

Graphic Commission: N/A

Area Commission: Italian Village Commission

Planning Overlay: I-670 Graphics Control

Historic District: Italian Village

Historic Site: No

Council Variance: N/A

Flood Zone: OUT

Airport Overlay Environs: N/A

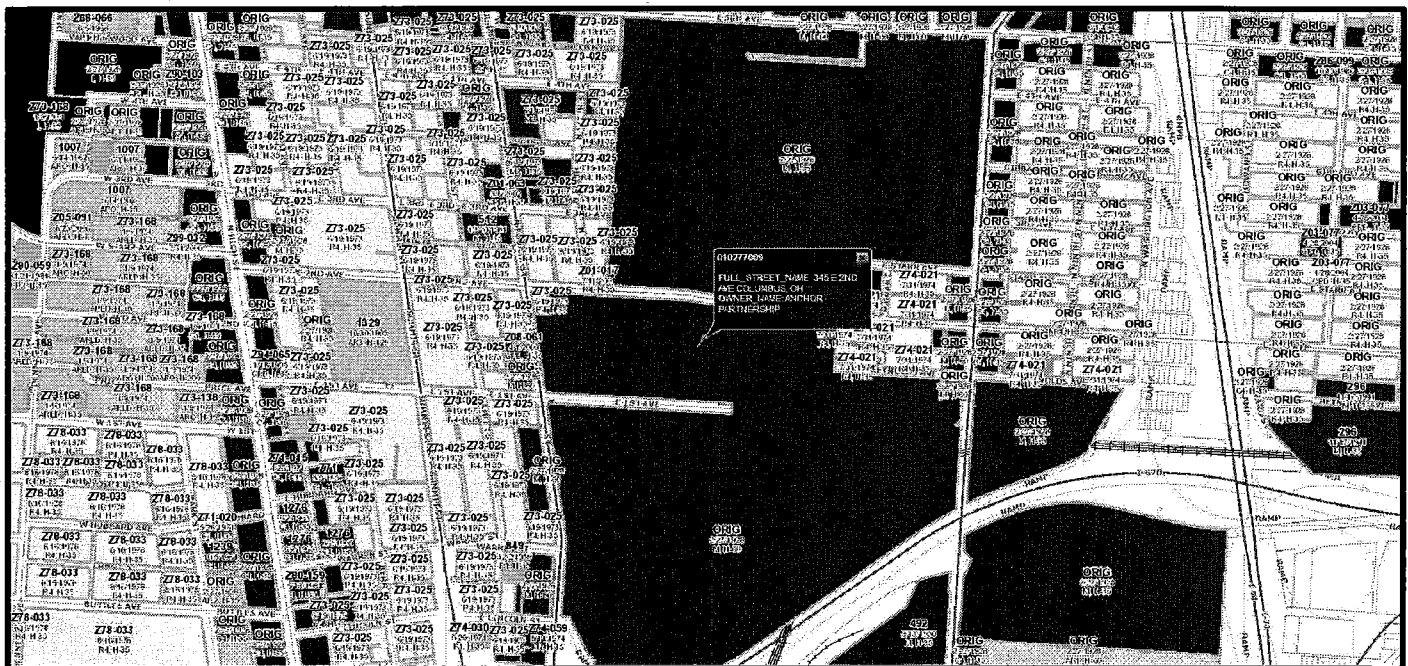
PENDING ZONING ACTION

Zoning: N/A

Board of Zoning Adjustment (BZA): N/A

Council Variance: N/A

Graphic Commission: N/A



13310-00509

345 E. 2nd Ave.

Exhibit A

STATEMENT OF HARDSHIP
BOARD OF ZONING ADJUSTMENT VARIANCE REQUEST
APPLICATION # _____

Applicant: John A. Rothschild, Jr., Court Appointed Receiver for Anchor Government Properties, III, Ltd.

Subject Property Address: 345 East Second Avenue (aka 274 East First Avenue), Columbus, OH 43201

Parcel Number: 00-277009-80

1. Overview. The Applicant seeks to obtain a Board of Zoning Adjustment parking variance to permit the contracted buyer of the property to continue the current use of the existing building as a church. The property is the subject of a foreclosure action, U.S. Bank, NA v. Anchor Government Properties III, LLC *et al.*, Case No. 11CVE05-6427, Franklin County Court of Common Pleas. The Applicant has been appointed Receiver of the property pursuant to order of the Court. The Receiver is authorized and directed by Order of the Court to sell the property and to take all actions necessary or incidental thereto, including without limitation to seek the variance in this application.

The Receiver is in contract to sell the property to Veritas Community Church. The purchase is contingent on the Receiver providing church with a license to use 90 additional parking spaces on the adjoining property, also controlled by the Receiver. See Paragraph 4, Variance Factors.

2. Variance Sought. Applicant seeks the following variances:

a. Section 3312.49C – to permit 33 onsite parking spaces, instead of the required 274.

3. Description of Property. The subject property consists of approximately 1.665 acres of land, upon which is situated an approximately 26,558 square foot, two story building. The building was built in approximately 1952, is constructed primarily of cinder block and has been used for industrial/manufacturing purposes. The property is currently zoned M-Manufacturing, and no zoning change is sought. All abutting properties are likewise zoned M-Manufacturing. The property is in contract for sale to an Ohio non-profit corporation which intends to further renovate the property to and to continue its use as a church.

The buyer has prepared plans to modify one of the existing entries into the building to further enhance the structure's current use as a two-story church structure. The first floor will consist of approximately 15,000 square feet, including a sanctuary of 6,684 square feet, and non-sanctuary space of 8,316 square feet. The second floor will contain approximately 4400 square feet, and will be used primarily as office space. No assembly or sanctuary space is planned for the second floor.

The property is irregularly shaped, as reflected on the attached photocopy of the Auditor's GIS map. While containing approximately 1.665 acres (72,527.4 square feet), and building coverage of approximately 36.6%, the irregular shape of the property renders a significant portion of the property unusable for parking, ingress/egress or other purposes.

4. Variance Factors. The unusual, flag shape of the property and location of the building on the parcel simply do not leave enough room on the property for the required vehicle parking spaces. The shape of the property, and the footprint of the existing building, present difficulties and special circumstances that do not apply to other properties in M zoning districts and in the Italian Village area. Most such properties are rectangular or square in shape and permit proper siting of structures to maximize parking spaces and efficient vehicle and

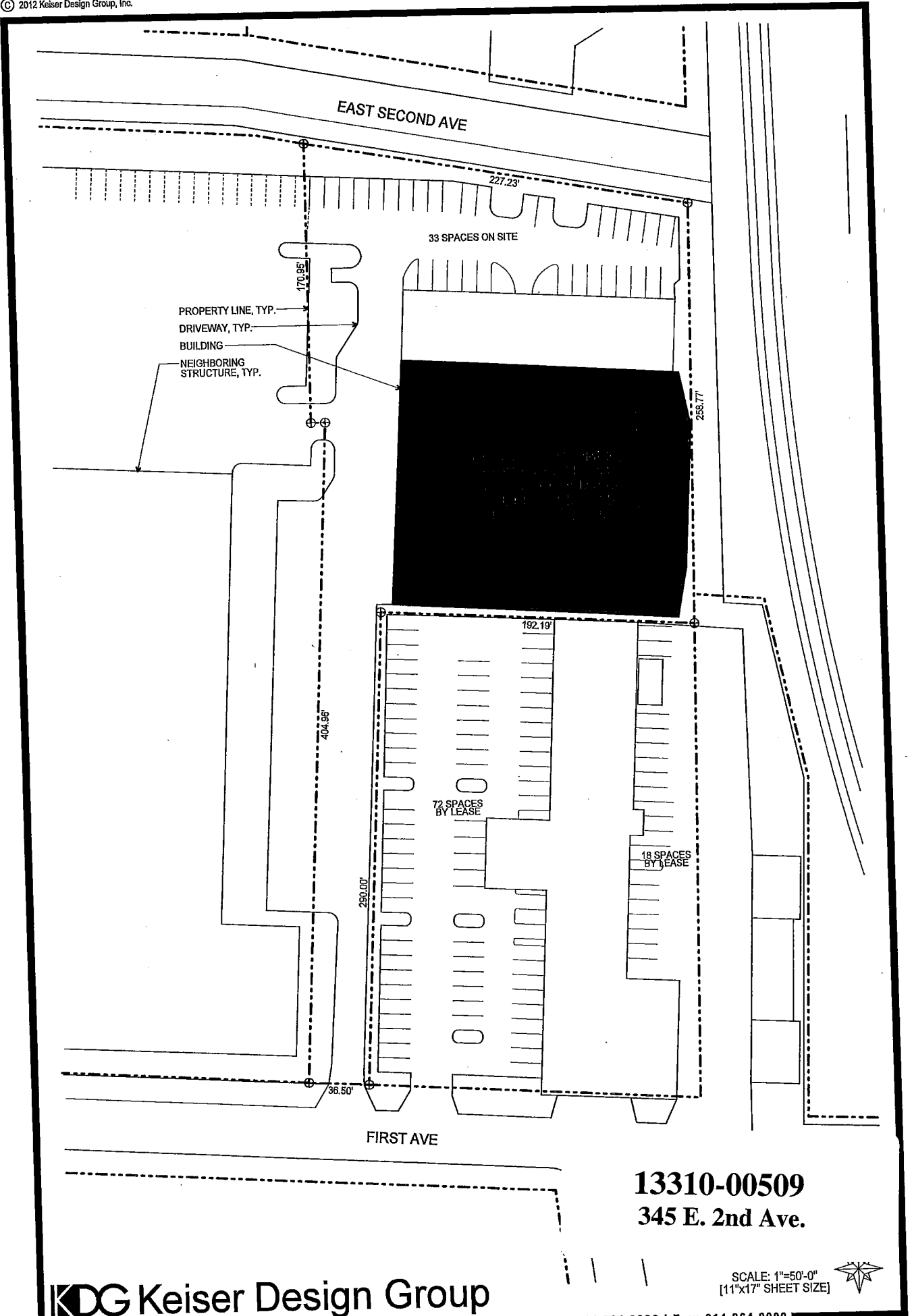
pedestrian movement. The "flagpole" part of the property, which is approximately 36' wide, is the sole point of ingress and egress from a dedicated street (First Avenue) and is too narrow to permit parking. These circumstances have presumably existed since the building was constructed, and are not the result of the actions of the applicant, current owner, or purchaser.

The unusual configuration of the building and shape of the property make it necessary for the variances to be granted in order to permit the sale and modification of the property to its highest and best use. The buyer-church has expended considerable expense and time in preparing plans to renovate the property so that it reflects well on the Italian Village area¹.

The granting of the variances will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of the Zoning Code. The granting will permit a significant upgrade in the aesthetics of the property and the neighborhood. It will result in lower intensity use and less traffic than a permitted manufacturing use. It will also result in less noise, light, and other emissions. There will be no discernible vibration, emissions of smoke, dust or other particulates, odors, glare, light, or heat from the property as is often the case with a manufacturing use. Finally the use is consistent with the other uses in the area.

Finally, please note that, by virtue of Court order, the Receiver also controls the property immediately adjacent to the south and east of the subject parcel (Parcel ID 010-003141-00, street address 350 First Avenue), upon which is situated 90 vehicle parking spaces. The Receiver is granting a license to the buyer-church giving it the right to use the 90 spaces for weekend services and for evening events on weekdays. Thus, while only 33 parking spaces will be situated on the subject parcel, there will be a total of 123 vehicle parking spaces available to the church. In addition, churchgoers will be able to use ample on-street parking nearby along First Avenue, which dead-ends just east of the subject property and is very lightly traveled.

¹ The buyer's representatives have already met with the Italian Village Commission, which issued a Certificate of Appropriateness for the project on March 19, 2013 (attached hereto).



13310-00509
345 E. 2nd Ave.

CERTIFICATE OF APPROPRIATENESS
ITALIAN VILLAGE COMMISSION

DEPARTMENT OF
DEVELOPMENT

This Certificate of Appropriateness is not a zoning clearance or a building permit. This document does not relieve the applicant from the responsibility of filing for and obtaining any required zoning clearance and/or building permit from the City of Columbus Department of Building & Zoning Services (645-6090 / 757 Carolyn Avenue) and following all other applicable codes and ordinances of the City of Columbus.

PROPERTY ADDRESS: 345 East Second Avenue

APPLICANT'S NAME: Darin Ranker/Carney Ranker Architects (A)

Anchor Government Properties III, Ltd. (O)

APPLICATION NO.: 13-2-8b

HEARING DATE: 3-19-2013

EXPIRATION: 3-19-2014

The Italian Village Commission hereby certifies that the application for the above referenced property and a copy of this Certificate of Appropriateness are on file with the city's Historic Preservation Office. The Commission has reviewed the application and taken the following action(s) in accordance with Columbus City Code 3116 & 3119 and the architectural guidelines:

☒ **Approved:** Exterior alterations per APPROVED SPECIFICATIONS

☐ **Recommendation for Approval:** Requested re-zoning/special permit/variance per APPROVED SPECIFICATIONS

APPROVED SPECIFICATIONS:

Approve Application 13-2-8b, 345 East Second Avenue, as submitted, with all clarifications, as noted:

Install Store Front

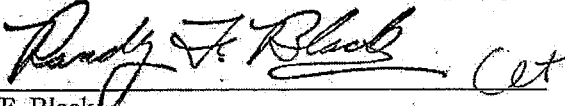
- Raise the existing overhead door to align with the adjacent windows, and bolt into position. Current 12' W x 15' H door opening will not be changed.
- Install new storefront system consisting of two (2) new, 4'-0" x 7'-0", black, anodized aluminum storefront doors centered in the opening with equally sized aluminum storefront sidelights on either side, per the submitted drawings.
- Install new aluminum storefront glazing above the new doors, per the submitted drawings.

Note: It was noted that all revisions requested by the commission at the February 19 hearing had been made. While removing the existing glass service door and infilling the door opening with block was suggested, it was not required.

MOTION: Sudy/Goodman (5-0-0) APPROVED

☒ **Drawings Required**

This Certificate of Appropriateness is only valid for work performed in accordance with the motion so passed and approved by the Commission, and shall accompany plans submitted for zoning clearance and/or building permits.


Randy F. Black
Historic Preservation Officer

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345 E. 2nd Ave.





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345 E. 2nd Ave.

PROJECT DISCLOSURE STATEMENT

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # _____

STATE OF OHIO
COUNTY OF FRANKLIN

Being first duly cautioned and sworn (NAME) Brent D. Rosenthal
of (COMPLETE ADDRESS) 366 E. Broad Street, Columbus, OH 432315
deposes and states that (he/she) is the APPLICANT, AGENT OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application and their mailing addresses:

NAME

COMPLETE MAILING ADDRESS

Anchor Government Properties, III, Ltd. c/o John A. Rothschild, Jr., Receiver

150 E. Broad Street, Ste. 310

Columbus, OH 43215

SIGNATURE OF AFFIANT

Subscribed to me in my presence and before me this 15th day of July, in the year 2013

SIGNATURE OF NOTARY PUBLIC

My Commission Expires: _____



DONNA D. PEART
Notary Public, State of Ohio
My Commission Expires
April 8, 2014

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